United Nations A/72/539

General Assembly

Distr.: General
18 October 2017

Original: English

Seventy-second session
Agenda item 54
Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

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Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the forty-ninth report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, submitted pursuant to General Assembly resolution 71/95.

17-18382 (E) 301017

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Summary

The present report contains information regarding the efforts of the Special Committee to implement its mandate and on the human rights situation in the occupied Arab territories over the past year. The report includes information on consultations with Member States in Geneva in March 2017, followed by a mission to Jordan in July 2017. The report addresses a number of concerns related to respect for international humanitarian law and international human rights law, including, specifically, the ongoing blockade of Gaza and the resulting humanitarian crisis; the continued expansion of settlements; the practice of demolishing homes, particularly as a punitive measure; the coercive environment and risk of forcible transfer to vulnerable Palestinian Bedouin communities in Area C; the situation of Palestinians living in East Jerusalem and the use of collective punishment; the continued use of administrative detention; concerns regarding the excessive use of force and the subsequent lack of accountability for Israeli forces; and the work of human rights defenders. The Special Committee further examines issues relating to the expansion of Israeli settlements and the lack of development opportunities for Syrian villagers in the occupied Syrian Golan.

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I. Introduction

1. The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories was established in 1968 by the General Assembly in its resolution 2443 (XXIII). The Special Committee is currently composed of three Member States: Sri Lanka, Malaysia and Senegal. In 2017, the Special Committee was represented by three members, Shahrul Ikram Yaakob, Permanent Representative of Malaysia to the United Nations in New York (Acting Chair), Ahamed Lebbe Sabarullah Khan, Deputy Permanent Representative of Sri Lanka to the United Nations in New York, and Coly Seck, Permanent Representative of Senegal to the United Nations Office at Geneva.

II. Mandate

2. The mandate of the Special Committee, as set out in General Assembly resolution 2443 (XXIII) and subsequent resolutions, is to investigate Israeli practices affecting the human rights of the Palestinian people and other Arabs of the occupied territories. The occupied territories are considered those remaining under Israeli occupation since 1967, namely, the occupied Syrian Golan and the Occupied Palestinian Territory, which comprises the West Bank, including East Jerusalem, and the Gaza Strip.

3. The present report is submitted pursuant to General Assembly resolution 71/95, which requested the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, especially Israeli violations of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and human rights of the peoples of the occupied territories, including prisoners and detainees, are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter. The present report covers the period from 30 July 2016 to 14 July 2017.

III. Activities of the Special Committee

A. Consultations with Member States in Geneva

4. The Special Committee held its annual consultations in Geneva on 20 and 21 March 2017 with Member States concerned with the implementation of General Assembly resolution 71/95. The consultations were held with a view to discussing the most pressing matters to be addressed in the Special Committee's report to the Assembly and to gather information on recent developments in the human rights situation.

5. The Special Committee met with the Permanent Observer of the State of Palestine, the Permanent Representatives of the Syrian Arab Republic, Egypt, Jordan, Lebanon and Turkey and the Permanent Observer of the Organization of Islamic Cooperation. The Committee also met with the United Nations High Commissioner for Human Rights. A request to meet with the Permanent Representative of Israel to the United Nations Office at Geneva received no response. The Special Committee also followed the discussions under agenda item 7 of the Human Rights Council, entitled "Human rights situation in Palestine and other occupied Arab territories".

6. During the discussions, representatives of Member States expressed support for the work of the Special Committee and regretted the fact that Israel does not recognize and cooperate with the Committee, nor allow it access to the Occupied Palestinian Territory. The representative of the Permanent Mission of the Syrian Arab Republic reiterated the Government's invitation to the Committee to visit the region and meet with Syrians who have been forcibly displaced from the occupied Syrian Golan. Member States emphasized the role of the international community and of United Nations mechanisms in keeping the issue of the Israeli occupation on the agenda and pressuring Israel to uphold its international obligations.

7. The representatives of Member States were especially concerned at the deterioration of the humanitarian situation in the Gaza Strip, as well as the growing hopelessness and frustration among its residents, noting that 2017 marks the tenth year of the blockade by Israel. They were also concerned at what they described as the seeming aspiration of Israel to annex the West Bank, noting proposed legislation put forward by Israeli lawmakers in the previous year, as well as accelerated construction of Israeli settlements and an increase in demolitions of Palestinian homes in the West Bank, including East Jerusalem.

8. The Special Committee was further briefed on the work of the Office of the United Nations High Commissioner for Human Rights (OHCHR) regarding the human rights situation in the Occupied Palestinian Territory, as well as the forthcoming reports of the Office to the Human Rights Council.

9. The above input received from Member States was taken into consideration when planning and conducting the field mission of the Special Committee, undertaken in July 2017, as well as in the drafting of the present report.

B. Field mission to investigate Israeli practices

10. The Special Committee wrote to the Government of Israel on 12 May 2017 requesting access to the Occupied Palestinian Territory and other Arab territories occupied since 1967. As in previous years, no response to the request was received from Israel. The Special Committee was thus unable to hold consultations with the relevant Israeli authorities, or to gain access to the Occupied Palestinian Territory.

11. Owing to increased insecurity in the region, the Special Committee was not able to visit either the Syrian Arab Republic or Gaza via the Rafah crossing. Instead, it convened meetings with civil society, witnesses, representatives of Bedouin and refugee communities, Palestinian officials and United Nations representatives in Amman from 12 to 14 July 2017.[1] In a few instances, where witnesses were unable to travel to Amman, especially from Gaza owing to the denial of travel permits, the Special Committee gathered testimony and briefings by teleconference. The Special Committee expresses its sincere appreciation to all those who provided testimony and briefings on a wide range of human rights and humanitarian issues. On 17 July, at the end of its annual mission, the Special Committee released a press statement.[2]

12. Documentation and other materials submitted to the Committee were carefully examined prior to the preparation of the present report and were archived by the

[1] Coly Seck, Permanent Representative of Senegal to the United Nations in Geneva, was represented by Serigne Dieye, Chargé d'affaires, Permanent Mission of Senegal to the United Nations Office at Geneva, on this mission.

[2] Office of the United Nations High Commissioner for Human Rights (OHCHR), end of mission statement of the United Nations Special Committee to Investigate Israeli Practices, 17 July 2017. Available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21881&LangID=E.

Secretariat. Information contained in the report is based primarily on testimony and submissions received by the Special Committee over the course of its mission in July 2017.

IV. Situation of human rights in the Occupied Palestinian Territory

13. The Special Committee heard concerns on a wide range of issues during its meetings with representatives of civil society, victims and witnesses, United Nations agencies, and the Palestinian Government. Overall, in the West Bank, including East Jerusalem, as well as in Gaza, briefings to the Committee noted an increasing sense of hopelessness among Palestinians. After 50 years of occupation and a steadily deteriorating human rights and humanitarian situation in recent years, coupled with the stalled peace process, Palestinians are losing hope for the future. Briefings to the Committee emphasized, in particular, how this situation negatively impacts the young. Specific areas of concern highlighted throughout the mission included the humanitarian crisis in Gaza and concerns about de-development; the expansion of settlements in the West Bank, including East Jerusalem, coupled with home demolitions and the ongoing risk of forcible transfer; ill-treatment in detention, including of minors, and the ongoing use of administrative detention; an atmosphere of impunity and lack of accountability on the part of Israeli forces; and an environment that is increasingly hostile to human rights defenders who seek to shed light on these concerns.

A. Humanitarian crisis in Gaza

14. Nearly all briefings to the Committee highlighted the dire situation in Gaza, now under the tenth year of illegal blockade and closure, a measure which several organizations stressed is a form of collective punishment and a violation of international humanitarian law. The briefings emphasized that the humanitarian crisis and economic stagnation in Gaza — brought on by the blockade and a series of escalations of hostilities, most recently in 2014 — has now become acute, compounded by the electricity crisis ongoing at the time of the Committee's mission. Through much of July 2017, residents of Gaza had access to as little as two hours of electricity per day, with cuts lasting from 20 to 22 hours at a time. Briefings to the Committee reiterated the need for Israel to uphold its humanitarian obligations, as the occupying power in control of the entry and exit of people and goods to Gaza.

15. The impact of the electricity crisis on the already strained health and sanitation infrastructure was one of the key issues highlighted to the Committee. At the time of reporting, hospitals had been forced to reduce services, and access to essential care was limited. Sanitation services were likewise negatively impacted — one example of this cited to the Committee was that, without power, the sewage treatment plant could not function, and as much as 110 million litres of completely untreated sewage were being dumped into the sea each day during the crisis. Many beaches became contaminated and unusable, and several briefings highlighted the fact that, at the height of summer, in part owing to the lack of air conditioning, children were still seen swimming in the extremely polluted water. Pollution is also accelerating in the main groundwater source in Gaza, with only 3.8 per cent of the water from the Strip's aquifer predicted to be safe to drink (compared with 10 per cent in 2012).[3] This

[3] United Nations, "Gaza ten years later: United Nations Country Team in the occupied Palestine Territory" (July 2017), p. 3. Available from https://unsco.unmissions.org/sites/default/files/gaza_10_years_later_-_11_july_2017.pdf.

combination of deteriorating sanitation conditions, together with limited capacity in hospitals and health facilities, was noted as extremely worrying.[4]

16. It was emphasized in briefings to the Committee that the humanitarian crisis in Gaza is a human-made crisis which predates the onset of the most recent electricity shortage. The humanitarian situation has, since the start of the blockade and after several escalations in hostilities, been steadily worsening. United Nations agencies noted in their briefings to the Committee that, since a 2012 report questioning whether Gaza might become unliveable by 2020,[5] the situation has deteriorated even further and faster than anticipated.[6] Development and even basic maintenance of infrastructure has been strained or made impossible by limitations on the import and export of materials imposed by Israel.[7]

17. The Committee heard how the resulting economic stagnation, including extremely high unemployment rates, particularly among youth, is contributing to a growing atmosphere of frustration and hopelessness for residents of Gaza. According to data reported by the Office for the Coordination of Humanitarian Affairs, unemployment in Gaza currently stands at 42 per cent, while among youth it amounts to 58 per cent. Some 47 per cent of Gaza residents are food insecure, and a significant number rely on foreign aid and assistance. The 2017 Humanitarian Response Plan of the Office for the Coordination of Humanitarian Affairs, which funds humanitarian assistance for vulnerable populations in Gaza and Area C of the West Bank, as well as East Jerusalem, was reportedly only 40 per cent funded as at the time of the Special Committee's mission.

18. In addition to controlling the entry and exit of goods and materials to Gaza across the Erez crossing, Israel controls the movement of people through the crossing. An increase in denial of exit permit applications for Gaza residents was highlighted to the Committee as an issue of increasing concern from both a humanitarian and human rights perspective. Regarding access to health care, the Committee was briefed about an increased rate of denial of permits for patients seeking medical treatment outside Gaza.[8] The Committee was also informed that the monthly rate of permit applications that went unanswered almost doubled in the second half of 2016; from 20.8 per cent to 38 per cent. Denial or even delay of such permit requests can have tangible and even deadly consequences for patients, as necessary medical care is delayed and appointments are missed. One incident shared with the Committee was the death in January 2017 of a 17-year-old boy with a congenital heart condition. The boy had missed three medical appointments owing to either denial of his permit requests or delay in granting the requests.

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[4] There is currently a shortage of over 1,000 doctors and over 1,000 hospital beds in Gaza. See United Nations, "Gaza ten years later", p. 3.

[5] See United Nations, "Gaza in 2020: a liveable place? A report by the United Nations country team in the occupied Palestinian Territory" (August 2012). Available from https://www.unrwa.org/userfiles/file/publications/gaza/Gaza%20in%202020.pdf.

[6] See United Nations, "Gaza ten years later", p. 3.

[7] "In 2016 total exports and transfers of goods from Gaza remained less than 20 per cent of what it had been in the first half of 2007, in part due to continued export restrictions and in part due to restrictions on import of material and equipment necessary for local production." See United Nations, "Gaza ten years later", p. 8.

[8] According to the Office for the Coordination of Humanitarian Affairs, there was a decline in the overall approval rate for permits granted to patients, from 77 per cent in 2015 to 64 per cent in 2016. See Office for the Coordination of Humanitarian Affairs, "50 years of occupation: Occupied Palestinian Territory: fragmented lives — humanitarian overview 2016" (May 2016), p. 7. Available from https://www.ochaopt.org/sites/default/files/fragmented_lives_2016_english.pdf.

19. The increase in denial of exit permits is not limited to medical patients, the Committee was told. This trend has also impacted businesspeople[9] and humanitarian workers, including United Nations staff. The Office for the Coordination of Humanitarian Affairs observed that, for national staff of aid organizations (including the holders Gaza, West Bank and East Jerusalem identify documents), 31 per cent of applications for permits to enter or exit Gaza were denied in 2016, compared with 4 per cent in 2015.[10] Several briefings to the Committee highlighted the essential role played by humanitarian organizations in providing food and services, including medical care and education for Gaza residents, and noted that Israeli practices that create obstacles to this work were particularly concerning.

B. Settlement expansion

20. Many submissions made to the Special Committee noted with concern the recent acceleration in expansion of settlements — considered illegal under international law — in the West Bank, including East Jerusalem. The Special Committee was informed that 2016 saw a 40 per cent increase in the construction of housing units as compared with 2015, with 1,760 units begun and 2,630 units completed. Submissions further highlighted an increase in approvals for planned settlement units in East Jerusalem over 2016–2017 compared to the previous two years, noting that more than 1,500 units were approved in 2016, and an additional 560 were approved over the first half of 2017. The Committee was also informed of reports of July 2017 that the Government of Israel may shortly begin planning the construction of over 7,000 new units in East Jerusalem, as well as the announcement earlier in 2017 of the first new settlement in the West Bank to be constructed since the 1990s.[11]

21. As noted in several submissions to the Special Committee, beyond the immediate infringement upon Palestinian lands, further settlement construction has additional detrimental impacts on the human rights of Palestinians in the West Bank, including East Jerusalem. Restrictions on the freedom of movement for Palestinians are often significant, with settlements accompanied by the construction of roads that are only accessible to Israelis. This further fragments the West Bank and can disrupt Palestinians' access to jobs, schools and family. Some described to the Committee the checkpoints that are installed near settlements, which make movement difficult, sometimes preventing children from reaching their schools, and which can be flashpoints for violence.

22. The Committee was told that boundaries of settlements in some cases are set to encompass Palestinian agricultural land, water wells and other resources, thus having a negative impact on the livelihood of neighbouring Palestinians. Palestinian communities located in close proximity to settlements are also subject to frequent raids by Israeli forces, often during the night and the early hours of the morning. Testimony to the Committee noted the negative impact that this can have on the mental health of residents of these communities, in particular, children. In addition, there is a risk that violence may be perpetrated by settlers against neighbouring Palestinian communities. Overall, the construction of settlements and the Wall, it was noted, further infringe and divide the Palestinian Territory, thus undermining the viability of the two-State solution. The Special Committee denounces the ongoing expansion of illegal settlements in the Occupied Palestinian Territory.

[9] The Office for the Coordination of Humanitarian Affairs reported a 16 per cent decline in permits issued for businesspeople compared to 2016. See Office for the Coordination of Humanitarian Affairs, "50 years of occupation", p. 7.

[10] Ibid.

[11] Figures in this section come from the submission of the Norwegian Refugee Council to the Special Committee, July 2017.

23. These developments with respect to settlement expansion, it was held in some submissions, should be seen as particularly concerning in the light of a number of recent legislative developments. In February 2017, the Government of Israel passed what was referred to as the "regularization bill", which retroactively legalized, under domestic law, "outposts" built on private Palestinian land in the occupied West Bank which were previously unrecognized under Israeli domestic law.[12] There are, in addition, several proposed laws that seek to apply Israeli law to the Occupied Palestinian Territory, in contravention of international humanitarian law.[13] Examples of these types of legislation presented to the Committee include the proposed annexation law relating to the settlement of Ma'ale Adumim, the Greater Jerusalem law, aimed at redefining and expanding the municipal borders of Jerusalem, and the norms law, which would seek to apply all new legislation passed by the Knesset in the Occupied Palestinian Territory as well.

24. According to one analysis presented to the Special Committee, the accelerated construction of settlements, together with these legislative efforts, indicate the intention of Israel to annex the Occupied Palestinian Territory, in direct violation of international law. According to another analysis heard by the Special Committee, this action amounts to colonization of the Occupied Palestinian Territory by Israel, which is also prohibited under international law.

C. Environment and access to natural resources

25. The Committee was briefed about environmental degradation in the Occupied Palestinian Territory due to exploitation of natural resources, as well as the lack of access for Palestinians to important natural resources, a factor which stifles Palestinians' right to development.

Access to water

26. Access to water was highlighted as a key issue of concern for Palestinians in both the West Bank and Gaza. According to information received, Palestinians struggle to gain access to necessary water resources, as these resources are overexploited by Israel. The Environment Quality Authority observed that Israel uses roughly 80 per cent of subterranean water resources in the Occupied Palestinian Territory and noted that Israeli settlers receive seven times more water than that allotted for Palestinians.

27. Overexploitation of subterranean water resources, for example through a number of wells constructed just along the Gaza border, has reportedly led, in Gaza, to increasing salinity of the existing aquifers. Owing to the electricity crisis and deterioration of existing infrastructure, desalination is not always possible. In the West Bank, Palestinian wells have been confiscated as a result of appropriation of land due to the construction of the Wall, of settlements, of natural reserves and of closed military zones.[14]

Environmental impact of the wall

28. The impact of the construction of settlements and the Wall on the environment in the West Bank was noted to the Committee as another issue of concern. In

[12] Settlements and outposts are both considered illegal under international law. Under this legislation, previously unrecognized outposts, built without the formal support of the Government of Israel, are retroactively legalized under Israeli domestic law.

[13] See Regulations respecting the Laws and Customs of War on Land (Hague Regulations), art. 43.

[14] In some cases, reportedly, areas initially designated by Israel as natural reserves, inaccessible to Palestinians, are later declared closed military zones. They remain inaccessible to Palestinians, and the natural life therein is not protected.

submissions to the Committee made by the Environment Quality Authority, it was noted that the ongoing construction of the Wall, which was declared illegal under international law by the International Court of Justice in 2004, had reached the southern part of the West Bank, near the town of Beit Jala. The Wall is said to be an obstacle to the daily lives of Palestinian residents, separating farmers from their lands and preventing people from accessing their places of worship. Also highlighted to the Committee was the fact that, as the wall is constructed, homes that are in its path are destroyed. In addition, case studies presented to the Committee described the change in water flows caused by the Wall in some cases, and noted the change in environment and habitat and the detrimental impact that had had in some cases on local flora and fauna in areas through which the Wall passes.

Wastewater

29. Dumping of wastewater in the Occupied Palestinian Territory was described to the Committee as a frequent practice, with wastewater from the settlements and in some cases from Israel reportedly being dumped in various areas in the West Bank. According to briefings to the Committee, polluted water is both changing the environment — areas previously dry are now flooded — and polluting it, putting both local wildlife and Palestinian residents at risk. A Palestinian refugee representative from the Bethlehem area briefed the Committee about challenges faced by his community, and noted that wastewater from Israeli settlements is often dumped in close proximity to refugee camps in his area.

D. Demolitions

30. The Special Committee was informed that home demolitions and destruction of livelihood-related structures have continued over the past year.[15] In 2016, the number of demolitions was the highest recorded since the United Nations began collecting such data in 2009. During the first half of 2017, the levels have decreased, with 279 structures demolished between January and mid-July, leading to the displacement of 435 Palestinians.[16] Despite the decrease in 2017, these figures nevertheless remain concerning. The Special Committee recalls that Israel, as the occupying Power, is obligated to administer the Palestinian territory for the benefit of the protected Palestinian population.[17] International humanitarian law sets out strict conditions under which the destruction of private property and relocation of the protected population may be lawful, related exclusively to military necessity or the security of the population.[18] As noted in briefings to the Committee, Israel cites either administrative or punitive reasons as the basis for carrying out demolitions.

Administrative demolitions

31. Administrative demolitions occur in cases in which Palestinians' homes and other structures are built without Israeli-issued permits. As highlighted to the

[15] During the reporting period, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) recorded 754 demolitions of Palestinian structures.

[16] See United Nations Office for the Coordination of Humanitarian Affairs, "Protection of civilians weekly report, 4–17 July 2017". Available from https://www.ochaopt.org/content/protection-civilians-weekly-report-4-17-july-2017. This figure includes demolitions in the West Bank, including East Jerusalem. The specific situation of East Jerusalem is discussed in greater detail in section F of the present report.

[17] This principle was affirmed in the Declaration of the Conference of High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention) of 17 December 2014.

[18] Fourth Geneva Convention, arts. 49 and 53.

Committee, Israel has established a discriminatory planning and zoning regime in the West Bank, including East Jerusalem, to regulate building. Permits are in many cases nearly impossible to obtain for Palestinian residents, in part due to prohibitive costs and lengthy administrative proceedings. Structures at risk of demolition include homes, schools, medical clinics and livelihood assets (including for example structures related to farming and agricultural work). All demolitions result in either displacement or deprivation of access to livelihoods for Palestinians.

32. Notably, some demolitions affect donor-funded humanitarian assistance to vulnerable communities, with briefings to the Committee highlighting that 79 donor-funded structures were demolished between 1 January and 20 June 2017.[19] Confiscation of donor-funded humanitarian assistance such as solar panels by the Israeli authorities was also documented by organizations briefing the Committee. In this context, briefings to the Committee highlighted the obligation of Israel, as the occupying Power, to provide for the humanitarian needs of the protected population, as well as to agree to relief schemes on behalf of the said population and to facilitate those relief schemes by all the means at its disposal.[20] Confiscation and destruction of donor-funded humanitarian assistance is an ongoing practice of concern, also reported to the Special Committee during its 2016 mission.[21]

Punitive demolitions

33. The practice of punitive demolitions, which was reinstated by the Israeli Security Cabinet in October 2015, has continued during the reporting period. The Israeli authorities have reportedly cited deterrence as the reason for carrying out punitive demolitions, which affect the family homes of Palestinians who attack or allegedly attack Israelis. In 2016, 29 punitive demolitions displacing 156 Palestinians, including 65 children, were documented.[22] The Special Committee notes that the practice of punitive demolitions violates international law, including the prohibition on collective punishment, and must be rescinded.[23]

E. Coercive environment and risk of forcible transfer

34. The Special Committee was briefed on the situation of vulnerable communities at risk of forcible transfer, in particular 46 Bedouin communities living in rural parts of Area C of the West Bank. These communities are subject to a coercive environment and remain at risk of forcible transfer by the Israeli authorities to three planned "townships", a concern which was also highlighted to the Special Committee during previous missions.[24] The more than 7,000 people living in these rural communities, a vast majority of whom are Palestinian refugees, are facing the possibility of being forcibly relocated to urban-style pre-planned communities, which would deprive them of their traditional way of life and livelihoods.

35. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) provided an update to the Committee on the situation of one of these communities, Abu Nawar, on which the Committee was briefed during its 2016 mission.[25] There are over 250 demolition orders outstanding for this community and,

[19] Submission from the Norwegian Refugee Council to the Special Committee, 13 July 2017.
[20] Fourth Geneva Convention, art. 59.
[21] See A/71/352, paras. 17–21.
[22] Office for the Coordination of Humanitarian Affairs, "50 years of occupation", p. 6.
[23] The practice of punitive demolitions contravenes article 33 of the Fourth Geneva Convention, which prohibits collective punishment.
[24] See A/71/352, paras. 22–33.
[25] Ibid., paras. 28–31.

from May 2016 until the Committee's briefing in July 2017, the community's schoolroom had been demolished and an instance of confiscation of humanitarian relief had been reported. UNRWA emphasized that the situation of the community had not improved since its briefing to the Committee in 2016. This community continues to experience extremely strong pressure for its members to leave their homes.

36. The situation of the Khan al-Ahmar Abu Al Helu community, another of the vulnerable Bedouin communities, was also highlighted as an example of a community under extreme pressure. UNRWA noted that 44 stop-work orders were issued for all existing structures in the community of Khan al-Ahmar in February of 2017. Those orders were subsequently converted into demolition orders, placing the entire community at risk of demolition. The demolition orders cover homes as well as the school, built with donor-funded assistance.

37. A further example shared by UNRWA notes the situation of Khan al-Ahmar Kurshan. On 9 October 2016, the Israeli Civil Administration demolished 11 residential structures, a chicken pen, 11 water tanks, 3 external bathrooms, 2 external kitchens and 1 fence in this community, resulting in the displacement of nine families (made up of 47 individuals including 26 children). One third of the tents provided as humanitarian assistance after the demolitions were confiscated the following day. At the time of reporting, the community has not been able to receive the necessary humanitarian assistance, owing to pressure applied by the Israeli authorities.

38. The situation of a collection of communities in western Bethlehem was also highlighted to the Committee in testimony shared by a refugee representative from one of these communities. Of the seven Palestinian villages in the area, the population of three of them is made up of a majority of refugees. Settlement expansions in the area are leading to increasing pressure on Palestinian communities, with the Israeli population now three times the Palestinian population. Zoning restrictions prohibit the development and expansion of Palestinian villages in the area, stifling their natural growth, and settlement construction in the northern part of the village is threatening to prevent Palestinian farmers from accessing their agricultural lands.

39. The Committee received information that these conditions — demolition or threat of demolition, extreme pressure to leave and reports of harassment and intimidation — combine to create a coercive environment. Under such conditions, communities may feel that they have no choice but to leave, a move which could amount to forcible transfer, given the lack of genuine consent to relocation. Forcible transfer in the context of occupation, undertaken without the free, prior and informed consent of the affected individuals, is prohibited as a grave breach of the Geneva Conventions.[26] Such a move would further raise concerns about forced eviction and destruction of private property, in contravention of the obligations of Israel under international human rights and humanitarian law.

[26] Fourth Geneva Convention, art. 49.

F. East Jerusalem

40. The situation of East Jerusalem was raised as an issue of particular concern to the members of the Committee in several briefings. East Jerusalem residents face a host of issues, including residency revocation, a discriminatory planning and building regime and demolitions, among other things. Submissions to the Special Committee mentioned with great concern what were described as attempts to alter the demographic balance in East Jerusalem, which reportedly currently stands at approximately 40 per cent Palestinian residents.

41. For those that live in East Jerusalem, briefings to the Committee highlighted challenges associated with what was described as the discriminatory planning and zoning regime in place. According to information received, only 13 per cent of lands in East Jerusalem are zoned for development by Palestinians. Only 7 per cent of building permits applied for are given to Palestinians, meaning that the existing living space is overcrowded and the infrastructure is strained. Palestinians who build without permits risk having their homes demolished or being forced to demolish their homes themselves in order to avoid having to pay the demolition fees charged to Palestinians by the Israeli authorities.

Residency revocation

42. The Committee was briefed on the permit system in East Jerusalem, in which Palestinians must obtain residency status from Israel in order to live in East Jerusalem. Palestinian residents of East Jerusalem are not considered citizens, and thus may not vote in national elections, although they may vote in local elections. In order to maintain their residency status, Palestinians living in East Jerusalem must not leave the city for more than seven years, and often must provide documentation, occasionally on a recurring basis, to prove that the city is their "centre of life". Obtaining another nationality, even if one still maintains a home and is regularly present in East Jerusalem, could lead to the loss of one's East Jerusalem residency permit. A residence elsewhere in the West Bank would reportedly qualify as an outside residence under these regulations.

43. Furthermore, as noted to the Committee, according to the 2003 "Citizenship and Entry into Israel law" — a temporary order that has now been renewed 14 times — Palestinians with West Bank or Gaza permits who marry East Jerusalem residents may only be granted temporary permits to live in East Jerusalem that must be renewed each year. This policy reportedly places a significant strain on Palestinian families, and in many cases may lead to family separation, or force families to give up their homes in East Jerusalem in order to live together elsewhere. It was emphasized to the Committee that such restrictions infringe the right to family life.[27] According to information received, the Ministry of Interior of Israel systematically revokes the status of Palestinian residents of East Jerusalem, both as an administrative and occasionally as a punitive measure, a process in which thousands of Palestinian residents have already lost their residency rights. Administrative residency revocation can occur in various cases, including when the "centre of life" requirement is not met, or when a Palestinian resident of Jerusalem lives outside Jerusalem for more than seven years (this can include living in the West Bank).

44. One case described to the Committee by the Jerusalem Community Action Center was that of Manwah Qunbar, the mother of a Palestinian involved in an attack

[27] Article 12 of the Universal Declaration of Human Rights provides that "no one shall be subjected to arbitrary interference with his privacy, family, home or correspondence". A similar provision is found in article 17 (1) of the International Covenant on Civil and Political Rights.

on Israelis, whose Jerusalem residency was revoked in January 2017.[28] This is the first case in which Israel has punitively revoked the residency of a family member of an attacker or alleged attacker, and was noted to the Committee as a development of concern. Furthermore, in the aftermath of the attack, a number of residents of the neighbourhood of Mr. Qunbar were arrested, including five of his family members, and checkpoints and road closures were set up around the neighbourhood. These types of measures were described to the Committee as practices amounting to illegal collective punishment.

45. Reportedly, the Minister of Interior of Israel may also revoke the residency of Palestinians for "breach of allegiance to the State of Israel". This policy, which makes Palestinians who have never left Jerusalem vulnerable to residency revocation, is particularly concerning as, according to submissions to the Committee, it is in violation of international humanitarian law, which forbids an occupying power from requiring allegiance of the protected population.[29] In June 2006, the residencies of three members of the Palestinian Legislative Council were reportedly revoked on these grounds. A petition to the Israeli High Court of Justice challenging the authority of the Minister of Interior to revoke residency on these grounds is reportedly still pending before the Court at the time of reporting.

46. According to analysis presented to the Committee, residency revocation for punitive or administrative reasons may amount to forcible transfer, in violation of international humanitarian law. Revocation of residency status for punitive reasons may also amount to collective punishment, for example when status is revoked from family members in retaliation for the actions of one individual.

Punitive measures

47. Punitive measures against relatives of attackers or alleged attackers in East Jerusalem are not limited to residency revocation. Briefings to the Committee described situations in which families of attackers or alleged attackers have faced punitive home demolitions or home sealings in East Jerusalem. In some cases, Palestinian families are reportedly required to reimburse the Government of Israel for the costs of the demolitions. Palestinian families in East Jerusalem have reportedly been asked to reimburse the Government of Israel for the compensation it gives to Israeli families who have lost family members in attacks or alleged attacks by Palestinians. East Jerusalem residents may also reportedly face punitive revocation of benefits, such as access to basic health insurance, to which they are entitled as part of their East Jerusalem residency.

48. One case that was highlighted to the Special Committee and that demonstrates a number of punitive policies to which residents of East Jerusalem are susceptible is that of Nadia Abu Jamal, a woman whose husband was involved in an attack in November 2014.[30] After the attack, the Government of Israel revoked Ms. Abu Jamal's family unification permit to live in East Jerusalem.[31] However, her three children are East Jerusalem residents. The health insurance of Ms. Abu Jamal's three children, two of whom have chronic health conditions which require care, was also revoked at that time. According to the briefing to the Committee, Ms. Abu Jamal was

[28] See http://www.maannews.com/Content.aspx?id=774845 and www.ochaopt.org/content/concern-about-collective-punishment-new-measures-targeting-residency-rights-east-jerusalem.

[29] Hague Regulations, art. 45. See https://ihl-databases.icrc.org/ihl/WebART/195-200055?OpenDocument.

[30] See www.btselem.org/jerusalem/20150618_nadia_abu_jamal_threatened_deportation_from_jm and www.alhaq.org/documentation/weekly-focuses/1100-illegal-collective-punishment-measures-against-women-and-children-the-case-of-nadia-abu-jamal-and-her-family.

[31] See www.amnesty.org/download/Documents/MDE1500372014ENGLISH.pdf.

forcibly transferred to the West Bank on 17 January 2017, while her children now live in East Jerusalem with their grandparents.

G. Detention

49. The Committee's mission to Amman took place some months after the cessation of a mass hunger strike by Palestinian detainees in Israeli prisons, which began in April 2017 and lasted for 40 days. In submissions to the Committee it was noted that over 1,500 Palestinian detainees in Israeli prisons participated in the strike over the course of the 40-day period. The Higher National Commission for Prisoners and Detainees Affairs of the Government of Palestine, in its briefing to the Committee, emphasized that the hunger strikers' demands related to basic humanitarian concerns. The detainees called for improved living conditions, including better access to medical care and education, an increase in the number of family visits each month and an end to the practice of administrative detention.

50. According to the Higher National Commission for Prisoners and Detainees Affairs and others who briefed the Committee, the Israel Prison Service treated the detainees who went on strike harshly, and tried to break the strike by subjecting participants to punitive measures, including denial of appropriate medical attention, frequent transfers between prison facilities and solitary confinement. Furthermore, the Commission noted the possibility of future hunger strikes, citing limited implementation of the agreement reached at the conclusion of the strike.

Administrative detention

51. In submissions received by the Special Committee, concern was expressed over the fact that the practice of administrative detention continues, with, reportedly, over 500 Palestinians currently held under administrative detention orders. Administrative detention orders are issued for periods of six months and are renewable indefinitely. Detainees are held without charge or trial, often on the basis of secret evidence which is never disclosed to the detainees or to their attorneys and which they do not have the opportunity to challenge. Particular concern was expressed to the Committee about the fact that detainees can be held for months, and even years, on these regularly renewed orders, in violation of international legal standards. It was noted that the Israeli practice of administrative detention is not in compliance with key international human rights safeguards, nor does it comply with international humanitarian law, which specifies that such measures should be used only in exceptional circumstances.[32]

52. With respect to administrative detention, concerns were also noted regarding the passage last June of a new counter-terrorism law.[33] The law reportedly went into effect in November 2016 and was described as overly broad and extremely concerning from a human rights perspective, as it grants broad powers to arrest and detain and contains an overly broad definition of terrorism.

Detention of children

53. The Special Committee also received information regarding the arrest and detention of children under 18, including several instances of arrest of children under the age of 14. According to information received by the Committee, 330 Palestinian

[32] Fourth Geneva Convention, art. 78, "If the Occupying Power considers it necessary, for imperative reasons of security, to take safety measures concerning protected persons, it may, at the most, subject them to assigned residence or to internment."

[33] See www.haaretz.com/israel-news/1.725225.

children were held in Israeli prisons as at May 2017, 3 of whom were being held under administrative detention orders. Concerns were also expressed to the Committee regarding legislation that allows for the detention of children under the age of 14.

54. During arrest and detention, children were reportedly often subjected to ill-treatment and violations of their right to due process. According to submissions received, the particularly vulnerable position of children and the associated protections to which they are entitled by human rights law are often not taken into account. Children have also reportedly been subject to night arrests in which they are taken from their homes late at night or in the early morning hours. Children were regularly interrogated without the presence of a parent or guardian or access to legal representation, while others reported having been physically abused and subject to the use of hand-ties, blindfolding and leg-ties. According to briefings heard by the Committee, many of these measures are employed in an attempt to pressure children to plead guilty.

55. One case reported to the Committee as being of special concern was that of a 17-year-old boy who was arrested in December 2016. During arrest, according to documentation by the prisoners' rights organization Addameer, he was blindfolded, beaten and taken to a military detention centre far from his home. He was given nothing other than water for 10 hours and subsequently held under a six-month administrative detention order.

56. Submissions to the Special Committee described the heavy burden borne by Palestinian families and Palestinian society as a whole due to the widespread use of arrest and incarceration, including of children. These practices require significant resources be devoted to rehabilitation and relief efforts for those eventually released, in particular young children who may be traumatized as a result of their experiences.

H. Excessive use of force

57. Testimonies heard by the Special Committee noted with particular concern what was described as excessive use of force by Israeli security forces. This reportedly occurred during instances of the use of live ammunition against groups of demonstrators, as well as in response to Palestinian attackers or alleged attackers, even after they no longer posed a threat. In addition, with respect to individual attackers, situations in which the threat posed often did not reach the threshold that would justify the use of deadly force were noted as a significant concern. Israeli security forces must seek to exercise restraint and respond proportionately to perceived threats. Security forces should seek to minimize damage or injury and respect and preserve human life.

58. In 2016, 99 Palestinians were killed in the West Bank, including East Jerusalem, and in Israel, 80 of whom were alleged perpetrators of attacks or attempted attacks against Israelis. [34] According to submissions received, as of 14 July 2017, 29 Palestinians had been killed by Israeli forces in 2017 in the West Bank, including East Jerusalem. According to submissions to the Committee, the Israeli security forces have employed what appears to be a de facto shoot-to-kill policy towards Palestinian civilians who carry out attacks against Israelis or are suspected of carrying out such attacks. This policy was said to be condoned by Israeli government officials and members of the security forces. Israeli forces have also reportedly withheld medical attention from suspected perpetrators after the fact.

59. The Committee was briefed on similar incidents of excessive use of force in Gaza. As part of the Israeli blockade on Gaza, Israel upholds an access-restricted area,

[34] Office for the Coordination of Humanitarian Affairs, "50 years of occupation", p. 4.

in the sea starting approximately six nautical miles off the coast of Gaza, as well as a "buffer" zone beginning 300 metres from the perimeter fence between Gaza and Israel. The army prohibits access to those areas, thus removing important sources of livelihood for Gazan fishermen and farmers. Those who enter the zones risk lethal retaliation from the Israeli army and navy, although they generally pose no immediate threat to the Israeli forces. In some cases, fishermen are reportedly shot at by the Israeli navy even when they have not left the six-nautical-mile limit. During 2016, 6 Palestinians were killed and 196 injured by the Israeli forces in those zones.[35] As at 14 July, four Palestinians have been killed by Israeli forces in Gaza in 2017.

60. One significant concern highlighted to the Committee in this respect is the impact of this violence on, and indeed the perpetration of violence against, Palestinian children. According to submissions made to the Committee, 35 Palestinian boys under 18 were killed in what were described as conflict-related incidents in 2016, and 887 Palestinian children were injured. According to information provided to the Committee, in many of the incidents in which children were killed, they did not appear to present an imminent threat, which again raises concerns of excessive use of force.

61. Information was also received by the Special Committee concerning allegations of excessive use of tear gas and other harsh measures by Israeli forces in reaction to non-violent protests or, in some cases, seemingly without provocation. In addition to tear gas, Israeli forces have reportedly used rubber-coated metal bullets or sponge-tipped bullets against protestors. These methods, in particular the indiscriminate and excessive use of tear gas, were noted to affect the entire resident population in the surrounding area, including children and elderly people, and can result in serious injuries and even death.

62. The impact of these methods on children was also reported to the Committee as particularly worrisome. In some areas, playgrounds and other outside areas must have protective netting installed above as protection, as Israeli forces reportedly fire tear gas canisters towards the areas without warning. The use of tear gas, sound grenades and rubber-coated bullets was documented in the immediate proximity of schools throughout 2016 and 2017. Israeli forces also reportedly entered schools, occasionally in large numbers, on repeated occasions throughout the West Bank, including East Jerusalem, searching for children accused of throwing stones. These incursions into and around schools were noted not only to be disruptive to schooling, but also to be extremely traumatic experiences for young children, aggravated by the fact that they often occurred repeatedly and on a regular basis.

63. UNRWA further highlighted the impact of excessive force on those living in refugee camps in the West Bank. An incident on 16 August 2016, in which Israeli forces were conducting a search operation in Al Fawwar refugee camp, south of Hebron, was highlighted as particularly concerning. During the raid, a 19-year-old Palestinian in the camp was shot in the chest, reportedly by an Israeli sniper located 40 metres away. While clashes did occur in the camp in the context of this raid, which reportedly involved a large number of Israeli security forces, the man who was killed was not anywhere near the clashes when he was shot. Frequent use of tear gas in and around refugee camps was further highlighted by UNRWA as a particular issue of concern, with many refugee camps being subject to these measures, as well as in some cases frequent raids by Israeli forces.

I. Accountability

[35] Ibid., p. 3.

64. Briefings to the Committee described an atmosphere of impunity for Israeli forces with respect to violations of international human rights and humanitarian law. Organizations emphasized the fact that this culture of impunity fuels the cycle of violence, and highlighted the fact that accountability is an essential element of peace. Lack of accountability, as highlighted in the Committee's previous report, has also been described as leading to a lack of faith in the Israeli judicial system.[36] According to information received by the Committee, between October 2015 and March 2017, 269 Palestinians were killed by Israeli forces, but only 24 investigations have been launched into these incidents. This is a lower number of investigations than were opened in previous years, despite the fact that the number of deaths has increased.

65. Of the investigations launched, only one case has led to an indictment — the case of Elor Azaria, an Israeli soldier who was filmed shooting and killing an injured Palestinian man as he lay on the ground in Hebron in March 2016. The case received widespread media attention, and there was significant pressure from the international community for the soldier to be held accountable. The soldier was given an 18-month sentence in February 2017, which OHCHR noted risks undermining confidence in the justice system and reinforcing the culture of impunity — particularly when contrasted with much lengthier sentences handed down to Palestinians for lesser offences.[37]

66. Lack of accountability continues to persist for alleged violations of international humanitarian law in the context of the escalation of hostilities during Operation Protective Edge in Gaza in 2014. The Al Mezan Center for Human Rights, in its briefing to the Committee, noted that, of 27 cases the organization filed, seeking to establish accountability for alleged violations of international humanitarian and human rights law, only a handful have been investigated. Further, most of these have been closed with the determination that no further investigation is needed.

67. The case of an incident in July 2014 in which a precision-guided missile struck the road outside an UNRWA school in Gaza, killing 15 people and injuring as many as 30 others, was closed in August 2016. In a statement issued after the decision to close the case, UNRWA noted that it had informed the Israeli authorities on 33 separate occasions that the school was being used as an emergency shelter for displaced people prior to the attack outside its gates. UNRWA also said that the incident raises serious questions about the conduct of military operations in relation to obligations under international humanitarian law and respect for the inviolability and sanctity of United Nations premises under international law, and emphasized its previous calls for accountability in this case and in others related to the 2014 hostilities.[38]

J. Shrinking democratic space

68. Submissions to the Special Committee highlighted once again continued concern regarding the shrinking space for Palestinian civil society to act. The Committee heard testimony regarding harassment and persecution of human rights defenders in the Occupied Palestinian Territory by the Israeli authorities, including recurrent interrogation and arrest of activists as well as tracking of activists' movements and statements, including on social media.

69. Of particular concern was legislation proposed in the Knesset in early 2017, which would allow Israeli officials to require Facebook or other platforms to censor

[36] See A/71/352, paras. 52–64.

[37] OHCHR, press briefing note on Israel: Elor Azaria case, 24 February 2017. Available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21221&LangID=E.

[38] See www.unrwa.org/newsroom/official-statements/record-response-idf-closing-criminal-investigation-shelling-near-unrwa.

Internet content that the Government of Israel deems to be incitement to violence.[39] Briefings to the Committee expressed concern about the impact on freedom of expression such a law could have, noting in particular that it is as yet unknown how "incitement" would be defined in the law and expressing concern that the definition could be overly broad. Further concern was expressed at the fact that the proposed law would also reportedly be applicable to the Occupied Palestinian Territory.

70. The Special Committee was also told of attempts by Israel to undermine the credibility of Palestinian human rights organizations, including recent statements by the Permanent Representative of Israel to the United Nations that linked two Palestinian civil society organizations to support for terrorism and accused them of inciting violence.[40] Individual staff members of human rights organizations also reported receiving anonymous threats, both against themselves and their organizations. The cumulative effect of this environment, the Special Committee noted, is a chilling effect on civil society and a limitation on the rights to freedom of expression, assembly and association. Limits on these important venues for lawful, peaceful protest were noted as particularly detrimental to efforts to support a vibrant civil society and work towards peace.

71. On a related issue, the Special Committee has also heard testimony regarding the targeting and harassment of Palestinian journalists, in particular women journalists, by Israeli forces, through night raids and arrests, physical assault and intimidation.[41] Evidence presented by the civil society organization, the Palestinian Center for Development and Media Freedoms described Israeli forces' attacks on journalists who were covering peaceful demonstrations in the Occupied Palestinian Territory, despite the fact that the journalists were wearing identifying vests. Video footage of these incidents was also shown to the Committee. According to the Center, these practices hinder Palestinian journalists' ability to work. The Committee further heard that, because of the risks associated with reporting on certain subjects or events, there is concern that journalists will censor themselves and the content of their work out of fear of possible retaliation from the Israeli authorities.

V. Situation of human rights in the occupied Syrian Golan

72. Civil society organizations speaking on the situation in the occupied Syrian Golan raised several concerns, one of the most pressing being the expansion of settlements. At present, there are reportedly roughly 23,000 Israeli settlers in the occupied Syrian Golan, in 34 illegal settlements. Briefings to the Committee indicated that settlers and the Israeli military control 95 per cent of the land. The remaining Syrian population, totalling approximately 25,000, lives in a limited area of five villages in the far north of the occupied Syrian Golan.

73. According to information received by the Committee, in November 2016, Israel announced the construction of 1,600 new settlement units in the occupied Syrian Golan. It was emphasized to the Committee that this would be the largest expansion of an illegal settlement in the occupied Syrian Golan since the 1980s. The Government of Israel also reportedly announced plans to expropriate 20,000 acres of land for the creation of Hermon National Park. This expropriation of land would, according to civil society submissions, surround the village of Majdal Shams, cutting off avenues for natural expansion of the village, and limiting access to agricultural land, which is a principal source of livelihood for residents.

[39] See www.haaretz.com/israel-news/1.762811.

[40] See www.omct.org/human-rights-defenders/urgent-interventions/israel/2017/07/d24425/.

[41] See www.maannews.com/Content.aspx?id=778437.

74. The Committee was also briefed regarding an announcement by the Government of Israel in July 2017 that local elections would be held on 30 October 2018 in four villages in the occupied Syrian Golan: Majdal Shams, Buq'ata, Masada and Ayn Qiniya. Prior to these elections, the mayors of these villages were appointed by the Interior Minister of Israel. Mayors and council members must be Israeli citizens. Reportedly, few residents have Israeli citizenship, with 5,500 having received this since 1981.[42] Many residents, and the Foreign Ministry of the Syrian Arab Republic, have expressed opposition to the announcement.[43]

75. Another concern is the discriminatory planning and zoning regime, which limits legal construction in Syrian towns and villages in the occupied Syrian Golan. The Committee was briefed about the demolition of a home in Majdal Shams in September 2016 by the Israeli authorities on the basis that it was built without a permit. This was noted to be the first such demolition in the occupied Syrian Golan in more than 30 years. It is nearly impossible for Syrian residents of the Golan to obtain the necessary building permits. According to information received, from 1983 until 2016 there were 1,575 cases in which Israeli courts issued orders to demolish homes in the occupied Syrian Golan. Until 2016, none of those orders had been carried out. The demolition in Majdal Shams has raised serious concerns that the Israeli authorities will begin executing demolition orders and strictly enforcing permit requirements. This would place a significant burden on Syrian communities which are already restricted to very limited geographic boundaries owing to settlements, declarations of closed military zones, national parks and other measures.

76. The Committee was briefed on several other concerns, including ongoing efforts to demine areas in the occupied Syrian Golan. The Israeli military reportedly recently evacuated a military checkpoint near the village of Majdal Shams, but did not demine the surrounding area. This is an effort that is now ongoing, with the support of civil society, and is reportedly a concern in many areas throughout the occupied Syrian Golan. Further concerns were noted regarding the imposition of the Israeli curriculum on schools in Syrian villages. Briefings to the Committee noted particular concern that the curriculum attempts to promote sectarian divisions among the local population.

VI. Recommendations

77. **The Special Committee calls upon the Government of Israel:**

(a) **To implement all prior recommendations contained in the reports of the Special Committee to the General Assembly, and to facilitate access by the Special Committee to enter the Occupied Palestinian Territory;**

(b) **To end its occupation of the West Bank, including East Jerusalem and Gaza, as well as the occupied Syrian Golan, in compliance with Security Council resolutions 242 (1967) and 497 (1981);**

(c) **To lift the illegal land and sea blockade imposed on Gaza for the past 10 years and open up opportunities for trade and increasing movement of Palestinians between Gaza and the West Bank;**

(d) **To immediately address the humanitarian crisis in Gaza, which has been made acute by the electricity shortage, and to uphold its obligations as occupying Power with respect to the protected Palestinian population;**

[42] See www.haaretz.com/israel-news/.premium-1.800061 and https://www.al-monitor.com/pulse/originals/2017/07/israeli-goal-behind-local-elections-golan-people-rejection.html.

[43] See https://www.haaretz.com/middle-east-news/syria/.premium-1.800405.

(e) To facilitate access to medical treatment for Palestinians in the Occupied Palestinian Territory, with particular attention to the urgency of the need in Gaza owing to the deteriorating conditions caused by the blockade and closure as well as the recent electricity crisis;

(f) To cease all settlement activity and construction of the separation wall in the occupied West Bank, including East Jerusalem, which contravenes international law and undermines the right of self-determination of the Palestinian people;

(g) To immediately freeze and end the illegal practice of demolitions, including administrative and punitive demolitions, which further constitute illegal collective punishment, and which contribute to the creation of a coercive environment and may lead to the forcible transfer of vulnerable communities, in violation of international humanitarian law and the rights of the Palestinian people;

(h) To ensure Palestinians have access to a non-discriminatory planning and zoning process which will advance the interests of the protected population in Area C, including Palestine refugees;

(i) To rescind all demolition, eviction and seizure orders that are likely to lead to the forcible transfer of Bedouin communities in the occupied West Bank, which affects their pastoralist lifestyle, leading to the breakdown of their traditional economies and damaging their distinct social fabric;

(j) To ensure that Palestinian residents of East Jerusalem are not subject to discriminatory requirements, that their right to family life is fully respected and protected, and to immediately end the illegal practice of punitive residency revocation for residents of East Jerusalem;

(k) To take all measures to end illegal practices of collective punishment, including punitive home demolitions, revocation of insurance benefits, residency revocation, arrest and detention and any other measures which seek to penalize the family members of attackers or alleged attackers, which are inhumane and have no deterrent effect;

(l) To ensure that detainees are treated in accordance with the provisions in international human rights and humanitarian law, in particular with respect to detention of children, and to end the practice of administrative detention;

(m) To take all necessary precautions to ensure that Israeli forces act proportionately and in accordance with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;

(n) To systematically investigate all cases of rampant and excessive use of force that have led to death or serious injury, and to ensure that those responsible are held accountable;

(o) To conduct a prompt, thorough, transparent and independent investigation into all cases of alleged extrajudicial executions and ensure that those responsible are brought to justice;

(p) To release the bodies of the Palestinians that have not yet been returned to their relatives as soon as possible in order to bring dignified closure in accordance with their religious beliefs and traditions;

(q) To ensure the protection necessary for the Palestinian civilian population and human rights defenders engaged in the promotion of human rights issues affecting the Occupied Palestinian Territory and allow them to carry out their work freely and without fear of attacks and harassment;

(r) To combat the environmental degradation in the Occupied Palestinian Territory and to halt the exploitation of natural resources, as well as the lack of access for Palestinians to important natural resources, notably water resources in the West Bank as well as the Gaza strip;

(s) To cease all settlement activity in the occupied Syrian Golan, and ensure access to a non-discriminatory planning and zoning process which will advance the interests of the protected population.

78. **The Special Committee also calls upon the international community:**

(a) To use its influence to end the blockade of Gaza, which has a significant detrimental effect on Palestinians, and in particular to immediately address the acute humanitarian crisis;

(b) To address the pattern of non-cooperation by Israel with the United Nations, in particular regarding the implementation of resolutions of the General Assembly and the Security Council and mechanisms established by the Assembly and its subsidiary bodies;

(c) To give effect to its legal obligations, as contained in the 2004 advisory opinion of the International Court of Justice, on the wall;

(d) To review national policies, legislation, regulations and enforcement measures in relation to business activity to ensure that they effectively serve to prevent and address the heightened risk of human rights abuses in conflict-affected areas;

(e) To ensure that corporations respect human rights and cease to fund or enter into commercial transactions with organizations and bodies involved in settlements or the exploitation of natural resources in the occupied Palestinian and Syrian territories.